IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ERNEST GARCIA,   )
)
                 Plaintiff,   )
)
v.   )
)
ELLIS COUNTY SHERIFF'S OFFICE, *Et Al.*,)
)
                 Defendants.   )   Civil Action No. 3:23-CV-0453-C

ORDER

Before the Court are the Findings, Conclusions, and Recommendation of the United

States Magistrate Judge, filed March 7, 2023, therein advising the Court that Plaintiff's abuse

allegations should be dismissed with prejudice under § 1915A and that the Court should, as to

the Fourth Amendment claim, stay and administratively close this case under *Younger v. Harris*,

401 U.S. 37 (1971). Plaintiff failed to file any timely objections.

The Court conducts a *de novo* review of those portions of the Magistrate Judge's report or

specified proposed findings or recommendations to which a timely objection is made. 28 U.S.C.

§ 636(b)(1)(C). Portions of the report or proposed findings or recommendations that are not the

subject of a timely objection will be accepted by the Court unless they are clearly erroneous or

contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

The Court has conducted an independent review of the Magistrate Judge's findings and

conclusions and finds no error. It is therefore **ORDERED** that the Findings, Conclusions, and

Recommendation are hereby **ADOPTED** as the findings and conclusions of the Court.

For the reasons stated therein, IT IS ORDERED, ADJUDGED, AND DECREED that

Plaintiff's abuse allegations are **DISMISSED WITH PREJUDICE**.

Additionally, Plaintiff has failed, during the period to file an objection, to satisfactorily show that he can amend his complaint to cure the deficiencies set forth in the Findings, Conclusions, and Recommendation in regard to his Fourth Amendment claim. As such, the above-styled and -numbered civil action is **STAYED** and **ADMINISTRATIVELY CLOSED** pursuant to *Younger v. Harris*, 401 U.S. 37 (1971).

SO ORDERED.

Dated this 3rd day of April, 2023.

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SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE